

**GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA**

STARRED QUESTION NO:146

ANSWERED ON:16.08.2013

CLAIMS UNDER FOREST RIGHTS ACT

Biju Shri P. K.; Das Shri Bhakta Charan

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the intended benefits under the Schedule Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 have been given to the forest dwelling communities;

(b) if so, the details thereof including the number of claims for distribution of titles received under the Act and the number of titles out of them distributed, rejected and still pending including the total number of claims disposed of /percentage with respect to claims received State/UT-wise and the factors which are impeding effective implementation of the Act;

(c) whether the Government has taken note of eviction of tribals from forests and denial of rights over minor forest produce, if so, the number of complaints reported/ received in this regard during the last three years and the current year, State/UT-wise and the action taken/to be taken thereon,

(d) the mechanism put in place by the Government to monitor periodic review of implementation of the Act indicating the number of reviews made in this regard; and

(e) the steps taken by the Government for early settlement of the claims?

Answer

MINISTER OF TRIBAL AFFAIRS (SHRI V. KISHORE CHANDRA DEO)

(a) to (e): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (e) of Lok Sabha Starred Question No. 146 (6th position) for answer on 16.08.2013 tabled by Shri Bhakta Charan Das and Shri P.K. Biju regarding "Claims under Forest Rights Act".

(a): The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 was enacted with the objective of remedying the historical injustice done to the forest dwelling Scheduled Tribes and other traditional forest dwellers. The Act has substantially met this mandate through distribution of 13,09,424 titles to the eligible claimants under the Act till 31st July, 2013.

(b): The requisite details sought in this part of the question are given in the Annexure. Though substantial progress has been made towards implementation of the Act over the years, the Ministry had noticed several lacunae and bottlenecks, such as, convening of Gram Sabha meetings at the panchayat level, low recognition of community rights relating to minor forest produce, grazing areas, water bodies, habitats of Particularly Vulnerable Tribal Groups, pastoralists' routes, high rate of rejection of claims etc, that were impeding the intended flow of benefits of this welfare legislation to the forest dwelling communities. The Ministry has accordingly brought about appropriate changes in the Rules on 06.09.2012 and issued guidelines on 12.07.2012 to ease out the problems and hindrances encountered in the implementation of the Act, and to provide unencumbered access to rights already conferred by the Act.

(c): Yes, Madam. During the operation of the Forest Rights Act, 2006 over the years, certain complaints were received by the Ministry regarding the threats of eviction from forest lands faced by the tribal people and other traditional forest dwellers without settlement of their rights and denial of rights over minor forest produce to them. These complaints were sent to respective State/ UT Governments for taking necessary action as the onus of implementation of the Act as per the provisions of the Act and the Rules framed thereunder lies with the State/ UT Governments. During the current year, 11 numbers of complaints have been received by this Ministry and the same have been forwarded to the concerned State Governments for appropriate action.

(d): The Ministry of Tribal Affairs is monitoring the implementation of the Act in the country by obtaining the monthly progress reports from the States and UTs. Progress of implementation of the Act is also reviewed in the meetings held with the concerned officers of the State Governments and Union Territory Administrations periodically. After the amendments in the Rules, the Ministry had organized five regional consultations and a National meeting on the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 during 2012 in which the status of implementation of the Act was also reviewed. During these meetings, the State Governments were directed to implement the Act as per an action plan in a time bound manner and to make special efforts to create awareness about community rights so that more claims are filed and recognized. During this year also, a two-day regional consultation was held at Ranchi on 30-31 July, 2013 to review the status of implementation of the Act in the Left Wing Extremism affected States.

(e): As mentioned in reply to part (b) above, the Ministry has brought about appropriate changes in the Rules on 06.09.2012 and issued guidelines on 12.07.2012 to ease out the problems and hindrances encountered in the implementation of the Act, and to provide unencumbered access to rights already conferred by the Act.